

```

email_trace[1]
src="moodballoons_menu2/moodballoons_menu1_r4_c4.jpg" width="80" height="75"
border="0" alt=""></td>
<td></td>
</tr>
<tr>
<td rowspan="2" colspan="2"></td>
<td></td>
</tr>
<tr>
<td rowspan="2" colspan="2"></td>
<td></td>
</tr>
<tr>
<td colspan="3"></td>
<td rowspan="2" colspan="3"><a href="players.htm"
onMouseOut="MM_swapImgRestore()"
onMouseOver="MM_swapImage('moodballoons_menu1_r7_c7','','moodballoons_menu2/moodballoons_menu1_r7_c7_f2.jpg',1);"></a></td>
<td rowspan="3"></td>
<td></td>
</tr>
<tr>
<td rowspan="2"></td>
<td colspan="3"><a href="music.htm" onMouseOut="MM_swapImgRestore()"
onMouseOver="MM_swapImage('moodballoons_menu1_r8_c3','','moodballoons_menu2/moodballoons_menu1_r8_c3_f2.jpg',1);"></a></td>
<td rowspan="2"></td>
<td></td>
</tr>
<tr>
<td colspan="3"></td>
<td colspan="3"></td>
<td></td>
</tr>
</table>
<p>Click the following links to compare the routing numbers<br>
of these "email" addresses that were copied from the <a
Page 5

```

```

email_trace[1]
href="http://www.themood.us/guestbook">guestbook</a><br>
and traced from the administration control panel of this website:</p>
<p><a href="mailto:trace/skeevdout.htm"><font
size="4">skeevdout@yahoo.com</font></a></p>
<p><font size="4"><a
href="mailto:trace/eatmy.htm">eatmyshitarty@yahoo.com</a></font></p>
<p><font size="4"><a
href="mailto:trace/ocker.htm">ocker@yahoo.com.au</a></font></p>
<p>&nbsp;</p>
<p>&nbsp;</p>
<p><em><a href="javascript:history.go(-1)">&lt;---go back</a></em></p>
<p>&nbsp;</p>
</div></td>
</tr>
<tr>
<td>&nbsp;</td>
</tr>
</table>
</div>
<script language="JavaScript1.2">
var clickmessage="!!!____kL0wn HaMMeR____!!!"
function disableclick(e) {
if (document.all) {
if (event.button==2||event.button==3) {
if (event.srcElement.tagName=="IMG"){
alert(clickmessage);
return false;
}
}
if (document.layers) {
if (e.which == 3) {
alert(clickmessage);
return false;
}
}
}
function associateimages(){
for(i=0;i<document.images.length;i++)
document.images[i].onmousedown=disableclick;
}

if (document.all)
document.onmousedown=disableclick
else if (document.layers)
associateimages()
</script>
</body>
</html>

```



**EXHIBIT B**

## Clark, Hunt and Embry

ATTORNEYS AT LAW

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 WILLIAM F. AHERN, JR.  
 HENRY W. CLARK  
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 MANDI JO HANNEKE  
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 ARMANDO J. ACOSTA  
 SARAH ALLEN  
 DOUGLAS A. LEVINE

November 10, 2004

**Via Facsimile (617-884-1654)**

Mark Pelosky, Esq.  
 The Law Offices of Mark E. Pelosky, P.C.  
 375 Broadway, Suite 207  
 Chelsea, MA 02150

**Re: Stickle, et al. v. Orfanos  
 U.S. District Court - District of Mass.  
 Case No.: 04 11539 JLT**

Dear Mr. Pelosky:

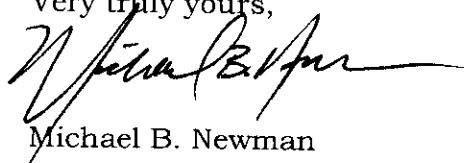
Certainly, you must be in receipt of Judge Tauro's Order granting the Plaintiffs' Motion for Preliminary Injunction that was entered in this case on November 2, 2004. Enclosed with this letter is a copy of the Order.

Unfortunately, as of today, Mr. Orfanos is still using at least one Web site - [www.pinkvoyd.net](http://www.pinkvoyd.net) - in direct violation of the Court's Order. Your client is not only using the Web site, but is using it to market his own band and to make representations that he founded Pink Voyd. The Web site also contains photographs and artwork of our clients.

It seems quite clear that Mr. Orfanos is aware of Judge Tauro's Order; he actually has included the docket number of our case on the Web site. He has also, obviously, recently reformatted the site and removed a lot of the previous information. Your client's conduct is a direct and willful violation of the specific Court Order entered in this case against him.

We demand that your client cease his operation of [www.pinkvoyd.net](http://www.pinkvoyd.net), and any other similar Web sites. We demand that he cease using the name "Pink Voyd" for any purpose. In short, we demand that he comply with the Court's Order. If he fails to do so by November 12, 2004, we will seek to have Mr. Orfanos held in contempt.

Very truly yours,



Michael B. Newman

MBN:ls  
 enclosure

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

WALTER STICKLE, et al.,

\*

\*

Plaintiffs/

\*

Defendants-in-

\*

Counterclaim,

\*

\*

\*

v.

Civil Action No. 04-11539-JLT

\*

\*

ARTHUR ORFANOS,

\*

\*

Defendant/

\*

Plaintiff-in-

\*

Counterclaim.

\*

ORDER

November 2, 2004

TAURO, J.

This court hereby orders that:

1. Plaintiffs' Motion for Preliminary Injunction [#2] is ALLOWED to the extent that Defendant shall be enjoined from the following conduct:
  - a. Using, advertising, or publishing for any purpose, the name "Pink Voyd," or any similar combination;
  - b. Operating a Web site at the domain names "www.pinkvoyd.us," "www.pinkvoyd.net," or any similar combination;
  - c. Registering, or attempting to register, any domain name which includes the words "Pink" and "Voyd" in any combination or with any other words, symbols, or numbers;

- d. Registering, or attempting to register, any domain name which appears similar to, or contains similarities to, "www.pinkvoyd.com"; and
- e. Representing himself to anyone as a member of Pink Voyd, or representing to anyone that he is associated with Pink Voyd in any way.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge

MODE = MEMORY TRANSMISSION

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FILE NO. = 031

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-CLARK HUNT &amp; EMBRY -

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### FACSIMILE COVER SHEET

PLEASE DELIVER IMMEDIATELY TO:

Mark Pelosky, Esq. FAX NO: 617-884-1654

The Law Offices of Mark E. Pelosky, P.C.

FROM:

Michael B. Newman FAX NO: 617-494-1921  
CLARK, HUNT AND EMBRY TELEPHONE: 617-494-1920  
 www.chelaw.com

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**EXHIBIT C**

## Clark, Hunt and Embry

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MANDI JO HANNEKE  
STACEY A. WARD  
ARMANDO J. ACOSTA  
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DOUGLAS A. LEVINE

November 15, 2004

### **Via Facsimile (617-884-1654)**

Mark E. Pelosky, Esq.  
The Law Offices of Mark E. Pelosky, P.C.  
375 Broadway, Suite 207  
Chelsea, MA 02150

**Re: Stickle, et al. v. Orfanos  
U.S. District Court - District of Mass.  
Case No.: 04 11539 JLT**

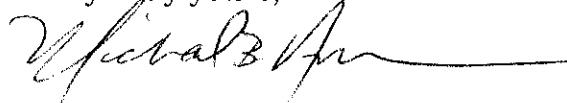
Dear Mr. Pelosky:

Although it appears that Mr. Orfanos has removed his site at [www.pinkvoyd.net](http://www.pinkvoyd.net), he continues to violate the Court Order. I have been informed that the source codes of [www.themood.us](http://www.themood.us) contain numerous references to Pink Voyd, including a copy of a letter accusing our clients of intellectual property violations regarding the name. These source codes are available for all to see, particularly those individuals who know to look for them.

It seems evident that instead of making a good faith effort to comply with the Court Order, Mr. Orfanos remains intent on damaging the plaintiffs with his campaign of misinformation in any way that he can. Be advised that we will not tolerate it.

If your client fails to immediately remove these source codes, and all other uses of the name "Pink Voyd," we will have no choice but to pursue a contempt order with respect to such willful and intentional conduct.

Very truly yours,



Michael B. Newman

MBN:ls

MODE = MEMORY TRANSMISSION

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END=NOV-15 16:08

FILE NO.= 106

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**Clark, Hunt and Embry**

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**EXHIBIT D**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CASE NO. 04 11539 JLT

WALTER STICKLE, ANTHONY  
CALIENDO, JOHN PITINGOLO, and  
DANIEL FISHER,  
Plaintiffs

v.

ARTHUR ORFANOS,  
Defendant

**AFFIDAVIT OF COUNSEL, MICHAEL B. NEWMAN**

I, Michael B. Newman, do hereby depose and state under oath:

1. I am an attorney licensed to practice in the Commonwealth of Massachusetts, and I represent the plaintiffs in the above-captioned matter.
2. In preparation of the Plaintiffs' Motion Seeking Order of Contempt, I have reviewed my firm's billing records for this matter. The current total of the hourly attorneys' fees and costs incurred to date on this case is \$29,788.00.
3. I have personally performed the majority of the work on this file, having spent a total of 60.4 hours on the case, including the preparation of the complaint, motion for preliminary injunction, supporting memorandum of law, and communications with the plaintiffs and opposing counsel. I have been practicing for over nine years and have acquired significant experience in federal court successfully seeking injunctive relief in a number of matters. My hourly rate in this matter is \$200.00.

4. Attorney William J. Hunt, a partner at Clark, Hunt & Embry, with over 25 years of experience, has also been involved with the case, primarily communicating

with the clients and numerous witnesses for the preparation of the supporting affidavits necessary for the plaintiffs' motion for preliminary injunction. Attorney Hunt's hourly rate for this matter is \$250.00.

5. Also assisting with this case are Attorneys Mandi Jo Jastremski and Stacey A. Ward, junior associates at my firm. Attorney Jastremski and Attorney Ward assisted primarily with the legal research associated with this case. Their billable rates for this matter \$150.00 per hour.

6. To date, a total of \$288.00 of costs have been incurred in this matter. These costs include the case filing fee, constable service fees, and Federal Express charges.

7. All of the attorneys' fees and costs incurred in this matter has been reasonable and necessary. Both prior to and during this litigation, the plaintiffs have made repeated and good faith efforts to try and resolve these issues without the need for court intervention. At every step of the way, the defendant Orfanos has refused to make any reasonable concessions and has forced the plaintiffs to proceed in court. Even after the plaintiffs' motion for preliminary injunction was granted by this Court, the defendant has continued his wrongful conduct in contempt of this Court's Order. As such, where the defendant's intentional and wrongful actions have directly caused the plaintiffs to incur the fees and charges described above, an award of this amount to the plaintiffs is warranted.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 7<sup>TH</sup> DAY OF DECEMBER 2004.



Michael B. Newman